

## **REMARKS/ARGUMENTS**

The Applicants originally submitted Claims 1-21 in the application. Previously, the Applicants amended Claims 1, 5, 7-8, 12, 14-15 and 21 and provided a substitute application. No claims have been added or canceled.

The Examiner has indicated that all prior rejections are withdrawn and that the present rejections may be cured by relatively minor amendments. In response, the Applicants have amended Claims 1, 8 and 15. Accordingly, Claims 1-21 are pending in the application.

### **I. Formal Matters and Objections**

The Examiner has objected to specification for not including a reference to Figure 2. In response, the Applicants have amended Figure 2 to read Figure 2A as suggested by the Examiner. The Applicants, therefore, respectfully request that the Examiner remove the objection to the specification.

### **II. Rejection of Claims 1-7 and 15-21 under 35 U.S.C. §101**

The Examiner has rejected Claims 1-7 and 15-21 under 35 U.S.C. §101 for being directed to non- statutory subject matter. Specifically, the Examiner asserts that the statutory categories are limited and do not include “system.” (Examiner’s Action, page 3). The Applicants respectfully disagree. The system of Claim 1 and the system of Claim 15 are machines that generate a representation for charges distribution and determine capacitance for a given integrated circuit, respectively. Each system may, for example, be implemented as a sequence of operating instructions on a tangible medium. Additionally, each system may be implemented through

hardware. Thus, independent Claims 1 and 15 are directed to statutory subject matter, machines, that can be implemented in different ways. Accordingly, the Applicants request that the Examiner remove the rejection of Claims 1-7 and 15-21 under 35 U.S.C. §101 and allow issuance.

### **III. Rejection of Claims 1-21 under 35 U.S.C. §112**

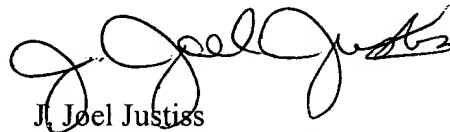
The Examiner has rejected Claims 1-21 under 35 U.S.C. §112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which the applicants regards as the invention. In response, the Applicants have amended Claims 1, 8 and 15 as suggested by the Examiner. Accordingly, the Applicants request that the Examiner remove the rejection of Claims 1-21 under 35 U.S.C. §112 and allow issuance.

#### **IV. Conclusion**

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-21. The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

**HITT GAINES, P.C.**

A handwritten signature in black ink, appearing to read "J. Joel Justiss", written over a horizontal line.

J. Joel Justiss

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Dated: \_\_\_\_\_

6/9/04

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